

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
July 19, 2022 – 7:00 PM

1. Call to Order

The meeting was called to order by Supervisor Fountain at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane (7:15pm), Trustee McMullen, Trustee O'Connell, Trustee Petrucci (7:43 p.m. via teleconference – not eligible to vote)

ABSENT: None

Also present was Township Manager Robert West and Public Works Director Michael Luce.

4. Approval of the Agenda

Move to approve the agenda for the July 19, 2022, Hartland Township Board meeting as presented.

Motion made by Treasurer Horning, Seconded by Trustee O'Connell.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee McMullen, Trustee O'Connell

Voting Nay: None

Absent: Trustee Germane, Trustee Petrucci

5. Call to the Public

Alex Yarber, of Vincent Drive, came forward to lodge a complaint with the Township Board on a recent experience that he and his neighbors had in dealing with the Township. He stated that back in September 2021 they met with representatives of the Township, that are present at the meeting tonight, to discuss a special assessment district (SAD) to pave their road, Vincent Drive. It was a productive meeting and there were a lot of questions that they had adequately answered at the time. One question was how many people would they need to get on their street to agree to this SAD for this project to move forward. At that time, they were told 75%. They also asked if there was any type of policy in place with the Board or with the Township as it relates to that number. Mr. Yarber stated that the answer was no. He stated in February 2022 a petition was started and the 75% number was achieved around March 2022, and that point in time they were informed that that number was going to have to go up to at least 80%. He stated that this was somewhat of a challenge at that point, but with some extra effort they were able to get the additional signatures that were needed to get to 80%. He stated that this around was the end of April 2022. Around June Mr. Yarber checked in with the DPW Department and after playing some phone tag he was basically informed that the deal was dead, without using those exact words. Mr. Yarber stated that he was told that the Township would require 100% participation rate and as it turns out on May 17, the Township approved a change to the policy which added this requirement that 100% of signatures would be needed for a project of this scope. Mr. Yarber stated that this looked bad and thought this looked like an ex-post facto law, and he wondered if the Township Board knew at that point in time that there was an active deal that was under consideration. He stated that there were some transparency and accountability issues that do not feel very good from a taxpayer standpoint. Mr. Yarber stated he understands the Township is providing a service, but he did not feel that they were treated fairly, and he has still not received any formal written explanation that he can provide to his neighbors that would explain why, all of a sudden, this project could not move forward. He stated he was disappointed of they way they were treated, and he does not feel that Hartland is a place where this

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sort of thing happens and would like to know that it does not. He stated his personal experiences indicate that his worst instincts are actually true. He stated he hoped the Township could take some steps to ensure this does not happen again as he felt it was a misrepresentation by the Township and a written explanation of the situation should be provided to residents of the street. Mr. Yarber stated it is his understanding that there was one person on the street who threatened to sue the Township if the project moved forward so it makes him think that maybe his group should sue since they are the majority and that maybe they can get the project to go through if they sue. Mr. Yarber stated that is not a threat, but just demonstrates some of the logic here and that they did not get adequate closure on this matter.

Supervisor Fountain stated he would like to spend a few minutes with Mr. Yarber to introduce himself after the meeting as there is no debate at the Call to the Public. Supervisor Fountain stated he appreciated Mr. Yarber coming forward and he is willing to meet Mr. Yarber to discuss this further tomorrow, or on another date, as this matter has been thoroughly vetted by the Board at various work sessions and there were special circumstances with this project. Mr. Yarber stated that he did not have any dispute with the decision, but his biggest complaint was the way it was handled and the way they were treated.

Robert Battaglia of Vincent Drive came forward and stated he believes that this should all be in the public record because he believes that they were misled and lied to in many ways on this project. Mr. Battaglia stated that DPW Director Michael Luce made statements in the first meeting that did not pan out. Mr. Battaglia also spoke with Township Manager Robert West on the phone, and he stated Manager West told him it would not have been approved at 100%. Mr. Battaglia says why even have a first meeting if they knew it would not be approved. Mr. Battaglia feels that they have been deceived and lied to and it was a waste of time. Treasurer Horning stated that she did not think at the time of the first meeting that they knew the actual cost of the project. Mr. Battaglia stated that there was a cost given at the first meeting.

Supervisor Fountain stated that this is in the public record and promised to get an answer to Mr. Battaglia and his group on the justification of the Township Board on what was done and why it was done.

Angela Yarber of Vincent Drive came forward and stated that she is here on the same issue. Mrs. Yarber would like to know why there has been no communication from the Township and why did they have to come to the Board meeting to get an answer.

Supervisor Fountain stated we will be looking into this and will be discussed at the future meeting.

Matt Pedigo of Cullen Road came forward and stated that he sent an email to the Board this morning over some concerns of the proposed police protection plan. Unfortunately, he feels like it might be a forgone conclusion as talking to Manager West today it sounds like there may already be things in progress on this issue. At any rate, Mr. Pedigo stated that he has a lot of concerns about it and questions as to what the intentions are and what are the metrics that are going to be used gauge the success of doing this plan. Mr. Pedigo believes that this is a lot of money to spend, in his opinion, for something he believes that we do not know if we are going to create solution to a problem or create a solution looking for a problem.

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6. Approval of the Consent Agenda

Move to approve the consent agenda for the July 19, 2022, Hartland Township Board Meeting as presented.

Motion made by Clerk Ciofu, Seconded by Trustee O'Connell.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

None

Absent: Trustee Petrucci

- a. Waldenwoods Fireworks Display Permit – August 5, 2022
- b. Approve Payment of Bills
- c. Approve Post Audit of Disbursements Between Board Meetings
- d. 06-21-22 Hartland Township Board Closed Session Meeting Minutes
- e. 06-21-2022 Hartland Township Board Regular Meeting Minutes

7. Pending & New Business

- a. 2022-2024 Hartland Township Police Protection Contract

Supervisor Fountain gave a brief overview of the history of the past experiences regarding police protection for Hartland. He stated that in the late 80s the Township contracted with the Livingston County Sheriff's Department (LCSD) and had a longstanding relationship with contracting through around 2011. At that point the costs were around \$150,000 a year for 8 hours of coverage per day. During this time there were a lot of productive meetings with the LCSD and a lot of questions were asked with regards to the justification on the contract. There were two one-year extensions signed as we were deliberating if this was something that was good for our community or not. In 2014, or 2015, the Township Board decided to terminate the police protection contract based on our findings. He stated we have talked about continuously not only within the Township, but we have been meeting with our neighboring communities that do not have their own police protection. He stated that Brighton Township has the Michigan State Police (MSP) Department Post in their back yard, and they do not feel the need for additional coverage. Supervisor Fountain stated that they have been keeping in contact with our neighboring communities for a long time and have had internal discussions as to what it would cost to start our own Police Department. We researched the possibility of contracting with the MSP, which was not possible, and we looked at contracting with Milford Police or the Oakland County Sheriff and those are all territorial and they will not go outside their geographical jurisdiction. We have been exploring all of our options for police protections on an ongoing basis. Supervisor Fountain stated that we have a great relationship with Sheriff Murphy of the LCSD, and we decided to regroup with Sheriff Murphy last year on police protection contract discussions. Sheriff Murphy has developed a consistent police protection contract from community to community. Supervisor Fountain stated a lot of things have happened in the last year and a half and we strongly have discussed this as a Board and even budget dollars for this contract at our last budget cycle in February of this year. He stated we budgeted \$164,000 for police protection this year as a holding amount if a viable option for police protection were to present itself. We also reviewed the police contracts and intentions of our neighboring communities with regards to police protection. We have had discussions about things that have happened in Michigan, and across the United States, and discussed who would be the best people for Hartland Township to partner with if we explored a police protection contract. We reached out to the Hartland Consolidated Schools (HCS) and the and

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Charyl Stockwell Academy (CSA) as to their concerns and needs. Supervisor Fountain stated he and Manager West had the first discussions with them in April 2022, after the Board decided to explore an opportunity to bring back some type of police contract with the LCSD. Those were very fruitful conversations with the LCSD, HCS, and CSA where we looked at what would be the best times in the day and how many hours of contracted service that we would be looking for in a contract. Hartland Township used to have 8 hours a day and this contract is for 12 hours a day on average. Supervisor Fountain stated that he has been doing this for a long time and as the community has grown it has always been forefront in his mind that this community always maintains a one-to-one basis years cash flow to expenses reserve, and that it has that and even more at this point. This holding pattern of planning for \$150,000 plus a year for police protection for the last 7 or 8 years has always been in our plans. He stated that these funds would be coming out of our general fund and that we do not want to go into a special assessment or a millage scenario in our community for this. We looked at three year and five years contracts and settled on a three-year contract that would provide for a sufficient amount of time for the plan to be fruitful and successful for the community while giving future Boards the option to change direction if so deemed. The difference between this contract and the last contract is mindset of what police in our community would look like. These officers would be part of our community and go to special events and be a partnership within the community. Supervisor Fountain and Manager West have met with the two officers selected for this duty and they though these were excellent choices to be part of the community, our educational system, and have a positive presence in our community. He stated that we would have not been able to start our own police department, nor was this the intent of this Board, without a police millage. Manager West gave a brief overview of police road patrol and the statistics we have been monitoring and will continue to monitor as we work through this contract. He also reviewed the overall cost of the contract and that the LCSD is covering some of the cost of the overall expenses of the officers and equipment.

Move to approve the three-year contract for dedicated police protection with the Livingston County Sheriffs' Office as presented.

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| Motion made by Clerk Ciofu, Seconded by Trustee Germane | Roll call vote taken |
| Voting Yea: Supervisor Fountain, Clerk Ciofu, Trustee Germane, Treasurer Horning, Trustee McMullen, Trustee O'Connell | |
| Voting Nay: None | |
| Absent: Trustee Petrucci | Motion passed: 6-0-1 |

8. Board Reports

Treasurer Horning - No report
Trustee Germane - No report
Trustee O'Connell - No report
Trustee McMullen - No report

Clerk Ciofu - The Primary Election is August 2, 2022. He stated you can obtain absentee voter ballot applications up until 4:00 pm on the day before the election. At this time if anyone is submitting an application for an absentee ballot there is still time for us to mail your ballot to you, but you should consider dropping it off here at the Township Hall or in the drop box out front to avoid any mail delay issues. Manager West reminded everyone that because of the election on August 2nd, the next Board meeting will be on Wednesday August 3rd.

[BRIEF RECESS]

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9. Information / Discussion

(Trustee Petrucci joined the meeting via telephone from Florida)

a. Manager's Report

Manager West gave a brief update on the Septage Receiving Station stating that he brought up an Septage Receiving Station anomaly with the Livingston County Board of Public Works, but he did not feel it was given the proper attention, so he has taken another approach. He stated he, Supervisor Fountain, Public Works Director Mike Luce, and Finance Director Susan Dryden-Hogan met with four members of the Livingston County Drain Commission staff. He stated he thought the staff understood the issue, but he was uncertain as to what action may be taken on the discussions. He wanted to inform the Board that he has a meeting scheduled for tomorrow with County Commissioner Wes Nakagiri and County Administrator Nathan Burd to explain the same story to them with the approval of the Board. He also informed the Board that Deputy Drain Commissioner Michelle LaRose submitted her resignation last Monday. MS. LaRose will also be leaving the Hartland Township Planning Commission.

b. ARPA Funding Update - This item was postponed to a future meeting of the Board.

c. Closed Session: To review the written legal opinion of the Township Attorney, subject to attorney-client privilege, in accordance with the Open Meetings Act, MCL 15.268(e)

Move to go into closed session to review the legal opinion of the Township Attorney, subject to attorney-client privilege, in accordance with the Open Meetings Act, MCL 15.268(e), and to include Finance Director Susan Dryden-Hogan and Public Works Director Mike Luce.

Motion made by Treasurer Horning, Seconded by Trustee O'Connell. Roll call vote taken

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

Voting Nay: None

Ineligible to Vote: Trustee Petrucci

Motion passed: 6-0-1

Board is in closed session at: 7:45 p.m.

Board came out of closed session at: 8:55 p.m.

10. Adjournment

Move to adjourn the meeting at 8:55 p.m.

Motion made by Trustee Germane, Seconded by Treasurer Horning.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell

None

Ineligible to Vote: Trustee Petrucci

Submitted by



Larry N. Ciofu, Clerk